JAN 2,2 2008



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Fax

INTELLECTUAL PROPERTY

То:	U.S. Patent & Trademark Office	From:	Ronald E. Smith 1372.08 PRWOUS		
Atm:	Agustin Bello – Art Unit 2613	Client:			
Fax:	(571) 273-8300	Pages:	19 including coversheet		
Phone:	(571) 272-3026	Date:	January 22, 2008		
Re:	USSN 10/604,182	CC:	University of South Florida		

Dear Examiner Bello:

In response to the non-final office action mailed October 26, 2007, we enclose the following:

- Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 22, 2008 - (2 pages); and
- Amendment C with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated January 22, 2008 -(16 pages).

Very respectfully,
Ronald L. Sh

Ronald E. Smith

USPTO Reg. No. 28,761

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Ø 002/019

JAN 2 2 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

: 10/604,182

Confirmation No. 1181

Applicants:

: Dennis K. Killinger

Filed:

: 06/30/2003

TC/A.U.

: 2613

Examiner

: Agustin Bello

Docket No.

: 1372.08.PRWOUS

Customer No.

: 21901

Transmitted to Central Fax at (571) 273-8300 Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is an independent inventor.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

CERTIFICATE OF FACSIMILE TRANSMISSION (37 C.F.R. 1.10)

HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 2613, Attn: Agustin Bello, (571) 273-8300 on January 22, 2008.

Dated: January 22, 2008

(Amendment Transmittal—page 1)

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Ø 003/019

FEE FOR CLAIMS

The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below: 4.

(Col. l)			(Col. 2)	(Col. 3) SMALL ENTITY				
Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee			
Total	23	Minus	33	= 0	x \$25 =	\$0		
Indep.	5	Minus	5	= 0	x \$100 =	\$0		
First Pre	sentation o	f Multiple I	Dependent Clain	<u> </u>	+ \$180 =	\$0		
					Total	sn		

Addit. Fee

No additional fee for claims is required.

Very respectfully,

Reg. No. 28,761

Tel. No.: (813) 925-8505

Ronald E. Smith Smith & Hopen, P.A. 180 Pine Avenue North Oldsmar, FL 34677 Attorneys for Applicant

(Amendment Transmittal-page 2)

If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3". The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

JAN 2.2 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

: 10/604,182 .

Confirmation No. 1181

Applicant:

: Dennis K. Killinger

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Filed:

TC/A.U.

: 2613

Examiner

: Augustin Bello

Docket No.

: 1372.08.PRWOUS

Customer No.

: 21901

For

: Open-Path/Free-Space Optical Communication System and

Method Using Reflected or Backscattered Light

Faxed to Central Fax at (571) 273-8300 Hon. Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

AMENDMENT C

Introductory Comments

Sir:

In response to the non-final Examiner's Action mailed 10/26/2007, having a shortened statutory period for response set to expire 01/26/2008, the above-identified patent application is amended a third time as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 9 of this paper.